

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

COURTNEY PAINE SNIDER

PLAINTIFF

VS.

CIVIL ACTION NO.: 3:09-cv-00704-W-A

**L-3 COMMUNICATIONS VERTEX
AEROSPACE, LLC**

DEFENDANT

**L-3 COMMUNICATIONS VERTEX AEROSPACE, LLC'S MOTION FOR
CLERK'S ENTRY OF DEFAULT AGAINST COUNTERCLAIM DEFENDANTS
CHARLES A. EDWARDS AND WOMBLE CARLYLE SANDRIDGE & RICE, LLP**

COMES NOW Defendant/Counter-Claimant L-3 Communications Vertex Aerospace, LLC ("L-3") and requests that the Clerk enter a default against Counterclaim Defendants Charles A. Edwards ("Edwards") and Womble Carlyle Sandridge & Rice, LLP ("Womble Carlyle") for the following reasons:

1. L-3 filed counterclaims against Courtney Paine Snider, Edwards, and Womble Carlyle on February 16, 2012. Docket Entry No. 128. The counterclaim was served on Edwards and Womble Carlyle on February 17, 2012, thereby making a responsive pleading due on or before March 9, 2012. Docket Entry Nos. 131 & 132.

2. Counterclaim Defendant Snider answered the counterclaim, but Edwards and Womble Carlyle did not. *See* Docket Entry No. 135. Rather than filing an answer, Womble Carlyle filed a motion to dismiss the counterclaim, which was joined by Edwards. Docket Entry Nos. 142, 143, & 144.

3. The Court issued a ruling on the motion to dismiss on March 12, 2014. Docket Entry No. 202.

4. Following the ruling on the motion, Edwards and Womble Carlyle did not answer or otherwise respond to the counterclaim within 14 days as required under Federal Rule of Civil Procedure 12(a)(4). They also did not request an extension of the 14-day period.

5. An affidavit in compliance with Federal Rule of Civil Procedure 55 is attached as Exhibit A.

For these reasons, L-3 respectfully requests that the Clerk issue an entry of default against Counterclaim Defendants Charles A. Edwards and Womble Carlyle Sandridge & Rice, LLP.

Dated: April 29, 2014.

Respectfully submitted,

PHELPS DUNBAR, LLP

BY: /s/ G. Todd Butler

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ATTORNEYS FOR L-3

CERTIFICATE OF SERVICE

The undersigned attorney does hereby certify that I, TODD BUTLER, have this date electronically filed the above and foregoing *MOTION FOR CLERK'S ENTRY OF DEFAULT AGAINST COUNTERCLAIM DEFENDANTS* with the Clerk of the Court using the CM/ECF system which sent notification of such filing and I hereby certify that I have mailed through the United States Postal Service, postage prepaid, a true and correct copy of the above and foregoing to the Non-ECF participate:

Courtney Paine-Snider
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PRO SE COUNTER DEFENDANT

SO CERTIFIED, this the 29th day of April, 2014.

/s/ G. Todd Butler
G. TODD BUTLER